

M.S.T 014 ' Other
 At I.A.S. Part 11 of the Supreme Court
 of the State of New York, held in and for
 the County of New York on the 24 day
 of August, 2007

EX PARTE MOTION UPSET

PRESENT: _____
 Hon. Joan Madden, J.S.C.

SUPREME COURT OF THE STATE OF NEW YORK
 COUNTY OF NEW YORK

CATHARINA BIANCO, as Executrix for the Estate
 of FRANK BIANCO, and CATHARINA BIANCO,
 Individually,

Plaintiff,

- against -

A.O. SMITH WATER PRODUCTS CO., et al.,

Defendants.

This document relates to

Frank Bianco	Index No. 115546-06
Karl Felten	Index No. 114005-06
Christian Holinka	Index No. 114120-06
Frederick Ritzer	Index No. 111328-06
Joseph Saccocciano	Index No. 113299-06

VAL 3

INDEX NUMBER 115546 YEAR 2006	
15 MOTIONS	45.00
TOTAL	45.00
CHECK	45.00

Upon the annexed affirmation of Sandra K. Steinman, sworn to on the

[Signature] DATE 22 AUG 2007 TIME 14:17 PM
2007 0004 01 AUG 22 14:17 PM

22nd day of August, 2007, it is:

ORDERED that the above-captioned plaintiffs SHOW CAUSE before the
 Honorable Joan Madden, at I.A.S. Part 11 at the Courthouse located at 60 Centre
 Street, Room 351, New York, New York on the 12th day of September, 2007, at 10:00
 a.m., or as soon thereafter as counsel may be heard, why an Order should not be made
 and entered herein granting Union Carbide Chemicals and Plastics Company, Inc.'s

Motion In Limine to Exclude Evidence of the Health Conditions or Medical Records of any Union Carbide King City Asbestos Workers without Testimony From a Qualified Medical Expert That the Health Condition is Related to Asbestos Exposure; and

ORDERED, that a copy of this Order and the papers on which it is based shall be served by Federal Express counsel for plaintiffs and by regular mail upon all parties who have appeared in this action and are entitled to notice before the close of business on or before August ²⁸₁₂, 2007.

*Copy papers by Sept 10, 2007
Opp.*

ENTER:


J.S.C.

JOAN A. MADDEN

TO: Weitz & Luxenberg P.C.
Attorneys for Plaintiff
180 Maiden Lane
New York, New York 10038

See Annexed Service List